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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,908	06/22/2001	Dominik J. Schmidt		7455

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EXAMINER

LA, ANH V

ART UNIT PAPER NUMBER

2636

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/887,908

Applicant(s)

SCHMIDT, DOMINIK J.

Examiner

Anh V. La

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-36 is/are allowed.
- 6) ☒ Claim(s) 37-40 is/are rejected.
- 7) ☒ Claim(s) 41-42 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 37 and 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tuttle in view of Brown (US 5,847,951).

Regarding claim 37, Tuttle discloses an apparatus comprising a wafer having a plurality of wireless devices 12 formed thereon (col. 3, lines 28-40), the wafer comprising a power connection coupled to each of the wireless devices during a test operation (col. 5, lines 35-50), but does not disclose a power pad and a ground pad coupled to each of the wireless devices. Brown teaches that it is old and well-known to have a power pad and a ground pad coupled to each of the wireless devices (col. 9, lines 20-35). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a power pad and a ground pad coupled to each of the wireless devices to the apparatus of Tuttle as taught by Brown for the purpose of providing power supply voltage to the wireless devices during a test operation and providing a reference voltage to the devices during the test operation.

Regarding claim 39, Tuttle discloses each of the wireless device 12 directly receiving a test command 24 from a tester 20 wirelessly.

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Regarding claim 40, Tuttle discloses each of the wireless device 12 comprising a processor and a memory (130,col. 4, lines 55-67).

3. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tuttle in view of Brown as applied to claim 37 above, and further in view of Beffa (US 5,966,025).

Regarding claim 38, Tuttle as modified by Brown discloses all the claimed subject matter as set forth above in the rejection of claim 37, but does not disclose a transistor coupled to each of the wireless devices. Beffa teaches it is well-known to use a transistor coupled to each of wireless devices to switch on the wireless devices (col. 3, lines 35-65). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a transistor coupled to each of the wireless devices to the method of Tuttle (as modified by Brown) as taught by Beffa for the purpose of effectively switching on the wireless devices.

4. Claims 41-42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Claims 21-36 are allowed.

Answer to Remarks

6. Applicant's arguments filed on August 08, 2005 have been fully considered.

Applicant's arguments with respect to currently amended claims 21 and 33 have been fully considered and are persuasive. The rejection of claims 21-36 has been withdrawn.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. In this case, Tuttle discloses an apparatus comprising a wafer having a plurality of wireless devices 12 formed thereon (col. 3, lines 28-40), the wafer comprising a power connection coupled to each of the wireless devices during a test operation (col. 5, lines 35-50). Brown teaches that it is old and well-known to have a power pad and a ground pad coupled to each of the wireless devices (col. 9, lines 20-35). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a power pad and a ground pad coupled to each of the wireless devices to the apparatus of Tuttle as taught by Brown for the purpose of providing power supply voltage to the wireless devices during a test operation and providing a reference voltage to the devices during the test operation.

Applicant's arguments with respect to claims 41 has been fully considered and are persuasive. The rejection of claims 41-42 has been withdrawn.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V. La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANH V. LA
PRIMARY EXAMINER

Anh V La
Primary Examiner
Art Unit 2636

AI
October 28, 2005